



## ACTON PLANNING BOARD

Minutes of Meeting  
May 8, 2007  
Acton Memorial Library

**DRAFT**

Planning Board members Mr. Greg Niemyski (Chairman), Ms. Ruth Martin, Mr. Bruce Reichlen, Mr. Alan Mertz, Mr. Michael Densen and Mr. Roland Bourdon attended. Also present were Assistant Town Planner, Mrs. Kristin Alexander and Secretary, Ms. Kim DelNigro.

Mr. Edmund Starzec (Clerk) was absent.

Mr. Niemyski called the meeting to order at 7:32 PM.

Mr. Christopher Schaffner (Vice Chair) arrived at 8:00PM.

### **I. Citizens Concerns**

None raised.

### **II. Consent Agenda**

Item A, Minutes of 4/24/07 passed by unanimous vote.

### **III. Reports**

CPC: No report.

EMEFD: Michael Densen reported the committee has met and is working on the design and architectural plans for the new Rt. 2A & 27 Fire Station. The proposal will go before next year's Town Meeting.

### **IV. Public Hearing – Proposed Zoning Change: Moratorium on Cell Towers**

Mr. Niemyski opened the public hearing at 7:45pm. Mr. Niemyski explained that the Board of Selectmen seek a zoning amendment that would institute a temporary moratorium on the permitting and construction of new cellular towers while the Town studies siting options.

The Planning Board questions and concerns included:

- What is the timeframe of the moratorium?
- What will be the process?
- Are existing permits exempt?
- Can upgrades be made to existing facilities?
- Correct/change language in a few sections.
- Can applications be rejected?

People in attendance raised questions and concerns regarding:

- How do the mechanics of a moratorium work?
- What will happen with new applications?
- What are the impacts?
- Revise the language in Section 3.11.5.

Mr. Schaffner moved to vote to recommend Article 1 as written in the warrant.

Mr. Niemyski motioned to make a friendly amendment and vote it in two parts.

Part 1 - In Section 3.11.5, amend "Section 3.10.5" to state "Section 3.10.5.1."

Part 2 – Clarify the process to be used if someone submits a cell tower application during the moratorium.

Mr. Reichlen 2<sup>nd</sup>, all voted in favor.

Mr. Schaffner moved to vote to recommend the Article as written, Mr. Mertz 2<sup>nd</sup>.

Vote: Mr. Schaffner and Mr. Mertz in favor. Mr. Niemyski, Ms. Martin and Mr. Densen and Mr. Reichlen not in favor. The motion lost.

Mr. Schaffner moved to vote to defer their recommendation on the article. Mr. Densen 2<sup>nd</sup>, all voted in favor.

The Planning Board members stated that once the Board of Selectmen makes the suggested changes to the Article, the Planning Board could probably recommend it.

Mr. Alan Mertz will stand up at Town Meeting to provide the Planning Board's recommendation and to speak for the Board, if necessary.

Other concerns:

The Board asked staff to investigate who the contact person is for Verizon Land Line to keep in contact with a person directly regarding the 982 Main St. cell tower upgrades.

The Board requested staff to ask for the name of Mr. Albani's supervisor at Crown Castle. Mr. Niemyski would like to recognize him at a Planning Board meeting for his cooperation/work on the matter.

**V. Ellsworth Village – Revisit**

Mrs. Alexander stated staff has reviewed Town Counsel's letter sent to the MA Dept. of Housing and Community Development (DHCD) requesting a formal determination that the Ellsworth Village project does not fall under the current Local Initiative Program (LIP) regulations. Mrs. Alexander stated they are waiting for a response. The Board directed staff to start drafting zoning amendments for the next available Town Meeting to change the Senior Residence language to allow alternatives to on-site affordable units. The Board stated if off-site units are allowed, they shouldn't be age restricted because the goal is to get affordable housing in town.

Mr. Schaffner moved to close the meeting, Mr. Mertz 2<sup>nd</sup>; all voted in favor.

The meeting adjourned at 8:33PM.